

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

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TOWN OF RANDOLPH, )  
Plaintiff, )  
 )  
v. ) Civil Case No.: 5:18-cv-80  
 )  
KOVATCH MOBILE )  
EQUIPMENT CORP., and )  
NAVISTAR, INC., )  
Defendants. )

**JOINT MOTION TO RESCHEDULE EARLY NEUTRAL EVALUATION DATE**

The parties submit the following joint motion pursuant to Local Rule 16.1(f):

1. In this case, expert discovery will be needed on the following subjects: plaintiff's products liability claims, negligence claims, warranty and misrepresentation claims, damages claims and affirmative defenses.
2. Pursuant to the current discovery schedule, plaintiff shall submit expert witness reports on or before November 1, 2021. Depositions of plaintiff's expert witnesses shall be completed by January 2, 2022. Defendants shall submit expert witness reports on or before February 1, 2022.
3. The parties have conferred and agreed on the need to exchange expert disclosures prior to conducting an Early Neutral Evaluation ("ENE").
4. Accordingly, the parties request that the ENE session, with James Spink, Esq., be rescheduled from on or before July 15, 2021 to on or around March 1, 2022 (the

“Proposed Date”).

5. The Proposed Date will fall near the midpoint of the current court approved discovery order, and it should not affect the current trial-readiness date of May 3, 2022.
6. This joint motion serves as notice to the ENE Administrator of the new requested ENE date.

Dated this 22<sup>nd</sup> day of June 2022.

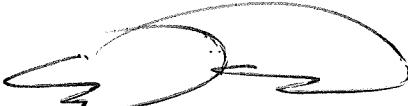
*S/ Philip C. Woodward*  
Counsel for Plaintiff  
Town of Randolph

*S/Franziskus Lepionka*  
Counsel for Defendant  
Kovatch Mobile  
Equipment Corp.

*S/ Ritchie E. Berger*  
Counsel for Defendant  
Navistar, Inc.

**APPROVED and SO ORDERED:**

**Date:** 24 June 2021



Geoffrey W. Crawford, Chief Judge  
U. S. District Court

cc: ENE Administrator